

## CES Environmental Briefing Sheet:

### Purpose:

The purpose of this briefing is to: (1) Update you on the plan of action for the site to get to “Ready for Reuse”; and, (2) Verbal Authority for up to \$2 million to take immediate actions to address the site.

### Context:

Site Location: 4904 Griggs Road, Houston, Harris County, TX

Area Around Site: Primarily Residential with a mixture of commercial. Residential properties back up to facility. 1 school backs up to facility. An additional school closeby;

Area Demographics: 97% minority

Trustee does not have the funding to properly address the conditions at the site.

The City of Houston has responded to many citizen complaints during operations and also during conservatorship by the Trustee.

### Facility Background:

- Former waste management/chemical recycling facility;
- Operated from 1999 – 2010;
- Filed bankruptcy in 2010 – Chapter 11 converted to Chapter 7 and Trustee appointed;
- EPA PRB Involvement at this facility: March 2014 as a result of a spill (vandalism) reported to EPA from TCEQ – Houston;
  - o EPA requested TCEQ address issues at the site along with the Trustee because TCEQ has been involved with the CES bankruptcy activities. EPA has received regular updates from TCEQ;
  - o In conversations with Trustee’s consultant, EPA believed that the Trustee was close to a deal with its contractor where its contractor would fund the cleanup with payment after sale of property (prospective purchaser appeared to be in the wings). Ultimately, contractor could not afford to forward fund the cleanup;
  - o Trustee has informed TCEQ that it does not have the funding to complete the cleanup but did obtain an emergency approval from the court (\$131,000) to address 2 tanks and waste piles;
  - o Trustee anticipates completing these activities by late August or early September. Disposal of vacuum box is scheduled for incineration in October but box will be removed from site to disposal facility as quickly as possible;
  - o TCEQ has requested EPA assistance to address the environmental issues at the site;

### Issues:

- Security Fencing: EPA repaired security fencing in August 2014;
- Chemical Containers: Vacuum Boxes, ASTs, Frac Tanks, Tanker Trailers, Totes, Drums, Vats, and smaller containers. The containers contain:
  - o Hazardous substances include: benzene (D018), creosol (D023-26), 2,4,6-Trichlorophenol (D042), MEK (D035), 1,2-Dichloroethane (D028), pH (D002), Ignitibility (D001) and other hazardous substances; and, some of the constituents in these waste materials are identified as probable or known human carcinogens.

- Contaminated Asphalt/Concrete: The site has significant spillage to asphalt/concrete surfaces which contaminates storm water which has the potential of runoff into storm sewers or adjacent residential properties;
- Contaminated On-Site Soils: Although soils have not been investigated, it is obvious that soils have been contaminated by releases from on-site containers;
- Contaminated Off-Site Soils: Off-site soils have been impacted by the recent spill (July/August 2014). A more complete investigation will be required to determine the impacts of the historical operations on the surrounding properties.
- Groundwater: Groundwater will need to be investigated to determine if it has been impacted by historical operations at the site.
- Risks:
  - o Exposure of the surrounding residential populations and the environment as a result of a chemical release;
    - Container failure, vandalism, arson, weather (hurricane, flooding, lightning strikes)

#### Actions:

- PRP: The below actions can be transitioned at an appropriate time if a PRP group can be identified that can do the work required:
- EPA (Removal Program): Conduct up to \$2 million worth of cleanup activities on the site which will focus primarily on:
  - o Disposal of chemical containers and chemical wastes on the facility;
  - o Clean asphalt/concrete of chemical contamination;
  - o Remove/Dispose of visible contamination on soils;
- TCEQ (Removal Program):
  - o Complete any of the tasks listed above for which EPA may not be able to complete due to statutory funding or time limitations. The TCEQ has committed to spend \$500,000 to address the Removal Priorities listed above;
- TCEQ/EPA Remedial
  - o TCEQ (thru EPA Cooperative Agreement) will investigate onsite and offsite soils for the purposes of State/Federal Superfund Ranking purposes (PA/SI/ESI);
  - o TCEQ will take immediate action as warranted to do a more thorough investigation and cleanup if significant issues are identified in the PA/SI/ESI;
  - o TCEQ/EPA will rank the site if their respective ranking criteria are met;
  - o TCEQ/EPA: The Site will be addressed further following State/Federal Superfund Process. Note: Should the site be proposed to the NPL, additional funding may be made available for continued EPA removal actions as appropriate.
- Enforcement:
  - o Enforcement Program has obtained 120 boxes of information from CID that was confiscated during the criminal investigation that may be helpful in determining if PRPs can be identified for cost recovery purposes.

- Enforcement Program has also obtained CDs from the consultant to the Trustee that has some of the information that is in the CID Boxes.
- Enforcement Program will have to review all of these documents to determine if there are liable and viable PRPs.